

REMARKS

Claims 1-3, 6-9, 11-14, 16-22 and 24 are before the Examiner for consideration.

In the Office Action of July 2, 2003, the Examiner rejected Claims 3, 16 and 22 under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention". Specifically, the Examiner objected to the term "type" in the phrase "ramp-type". Applicants have amended Claims 3, 16, and 22 to delete the phrase "ramp type". Applicants respectfully submit that as amended, Claims 3, 16 and 22 comply with the requirements of 35 U.S.C. § 112, second paragraph.

The Examiner rejected Claims 1-3, 7, 14, 16, 21 and 22 under 35 U.S.C. § 102(b) "as being anticipated by Wolner #4,877,110. Specifically, the Examiner asserted that:

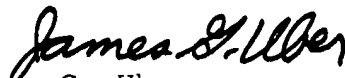
Wolner, as recited in column 4, lines 2-29, discloses a descent device 10 comprised of a housing 18, a drum assembly 22, 34, and webbing line 38, and a brake assembly/linking mechanism 66, 100, 116, 120 (pawl/clutch), 124.

The Examiner objected to Claims 4, 10-13, and 23 "as being dependent upon a rejected base claim," but indicated that these claims "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims". Also, Claims 17-20 and 24 have been allowed by the Examiner. Applicants thank the Examiner for these indications.

Applicants have cancelled Claim 4 and amended Claim 1 to include the limitations of Claim 4 as suggested by the Examiner. Similarly, Applicants have cancelled Claim 10 and amended Claim 14 to include the limitations of Claim 10. Claims 11, 12 and 13 have been amended to depend upon Claim 14 rather than canceled Claim 10. Applicants have canceled Claim 23 and amended Claim 21 to include the limitations of Claim 23. Applicants respectfully submit that Claims 1-3, 6-9, 11-14, 16 and 21-22 are allowable in view of the Examiner's previous comments with regard to Claims 4, 10-13 and 23.

In view of the above amendments and remarks, Applicants respectfully request that the Examiner withdraw his rejection of the claims, indicate the allowability of Claims 1-3, 6-9, 11-14, 16, and 21-22, and issue an official Notice of Allowance in due course for Claims 1-3, 6-9, 11-14, 16-22 and 24.

Respectfully submitted,



James G. Uber
Reg. No. 30,600
Attorney for Applicants

Mine Safety Appliances Company
P.O. Box 426
Pittsburgh, PA 15230
412-967-3215 (phone)
412-967-3309 (fax)